IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 9235 of 2002

Between:

1 P.V.Bhadravathi, W/o. Late Hari Hara Gopala Krishna Rao,
R/o. H.No.41-12-15A, Krishna Lanka,
Vijayawada.
2 P. Venkata Seshu Lakshmi, W/o. Late Hari Hara Gopala Krishna Rao,
R/o. H.No.41-12-15A, Krishna Lanka,
Vijayawada.

..... PETITIONERS

AND

1 The Station House Officer, L & O,
Gannavaram, Krishna District.
2 The Assistant Commissioner of Police, (II Division),
Vijayawada.
3 Padidi Rajyalakshmi, W/o. P.V.S.L.Prasad,
R/o. Behind Rayanaqara Club, Gannavaram,
Krishna District.
4 Avvaru Govindarajulu, S/o.Chinnamallaiah,
R/o. Behind Rayanaqara Club, Gannavaram,
Krishna District.
5 Avvaru Seethamahalakshmi, W/o.Govindarajulu,
R/o. Behind Rayanaqara Club, Gannavaram,
Krishna District.

(Respondents 3 to 5 are added as formal parties and no relief is sought against them in this writ petition as already suit is pending against them)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction especially one in the nature of Writ of

Mandamus declaring the action of the 2nd Respondent in not taking action against the 1st Respondent when he is interfering in private affairs of husband and wife and trying to seize house-hold articles as illegal, intentional, mala fide, arbitrary and consequently direct the 2nd respondent to his illegal interference to seize house-hold articles of the petitioners.

Counsel for the Petitioner: MR.K.V.BHANU PRASAD

Counsel for the Respondent Nos.1 & 2: GP FOR HOME

The Court made the following:

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ORDER:

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The first petitioner is accused No.2 and the second petitioner is accused No.1 in Crime No.341 of 2001 of P.S.Gannavaram under Section 498-A of the Indian Penal Code, 1860. They alleged that the first respondent made attempts to seize their household articles and when the petitioners gave a compliant to the second respondent, no action was taken against the first respondent. Therefore, they filed the present writ petition seeking a direction to the second respondent to prevent the first respondent from seizing the household articles.

In the counter affidavit filed by the second respondent it is stated that in connection with the said crime, the Police never attempted to seize the articles from the petitioners and that they are not going to seize the articles.

In view of the counter averments nothing survives in the writ petition. Recording the same, the writ petition is dismissed. No costs.

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(V.V.S.RAO, J)

28.06.2005

vs

To

1 The Station House Officer, L & O,
Gannavaram, Krishna District.
2 The Assistant Commissioner of Police, (II Division),
Vijayawada.

3 2 CCs to Government Pleader for Home, High

Court Buildings, Hyderabad. (OUT)

4 2 CD copies